



**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR: 7520**

**Respondents:** Gretchen Driskell for Congress  
and Jennifer Fairfield, as  
Treasurer ("the Committee")<sup>1</sup>

**Complaint Receipt Date:** October 19, 2018

**Response Date:** January 29, 2019

**EPS Rating:**

**Alleged Statutory**

**52 U.S.C. § 30104(b)(4)**

**Regulatory Violations:**

**11 C.F.R. § 104.3(b)(2)**

The Complaint alleges that the Committee failed to report any expenditures for a fundraiser held on May 28, 2015.<sup>2</sup> The Response, submitted by the Committee's campaign manager, states that the Committee incurred no expenses for the event because there were no attendees, no food costs, and no required rental or deposit costs for the venue.<sup>3</sup>

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the

<sup>1</sup> Driskell was a 2018 candidate for the U.S. House of Representatives in Michigan's Seventh District. Gretchen Driskell for Congress is her principal campaign committee.

<sup>2</sup> Compl. at 1 (October 19, 2018).

<sup>3</sup> Resp. at 1 (January 29, 2019).

apparent lack of any expenditures associated with the planned event, which were required to be reported by the Committee, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

Lisa J. Stevenson  
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4/9/2019

Date

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